Marcus Case's 'Other' Official Denies Guilt

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The unidentified city commissioner who FBI informant Herbert Itkin testified shared $10,000 "that was close to a bribe" with him and former Water Commissioner James L. Marcus has denied the charge to a New York County grand jury.

The city official along with a number of other commissioners have testified before the grand jury looking into alleged municipal corruption revealed by Itkin.

Itkin made the accusation during the Federal Court trial that resulted in the conviction Wednesday of three men and a corporation involved in the Marcus kickback scandal.

The unidentified commissioner's grand jury denial became known as previously unreportedly trial records confirmed that Itkin, besides being an undercover informer for the FBI, was a code-named agent for the Central Intelligence Agency.

The records, which did not become available until after the close of the trial, indicated that Itkin had taken many foreign assignments for the CIA and that he had threatened early this year to sabotage government cases in which he was involved unless his two stepchildren were given protection.

Itkin, a labor lawyer, who along with Marcus were the star witnesses for the government, was asked under cross-examination if he took a bribe from a construction company.

"Well, it was very close to a bribe," he replied. "It was for a New York City commissioner."

He said Marcus was not the commissioner but that he and the former Water Commissioner had shared $7,500 of the amount and the other unnamed commissioner got $2,500.

The present commissioner waived immunity before the grand jury earlier this year and testified that he was friendly with Marcus who introduced him to Itkin.

He denied any financial dealings with either man while admitting he had considered going into a business venture with them. He said he had introduced a close friend to Itkin and Marcus, who were trying to get financing for Dominican Republic projects.

The chagrined commissioner admitted to the grand jury he had vouched for Marcus' reliability to his friend. The man, a contractor, at first agreed to invest in the venture but backed out at the last moment. The commissioner emphasized that no money passed between any of the participants.

The contractor was called before the grand jury and after waiving immunity also categorically denied Itkin's charge.

Investigations Commissioner Fraiman investigated the case and cleared the official of any wrong-doing. Mayor Lindsay has said that no evidence of corruption by any of his past or present commissioners except Marcus has been uncovered by Fraiman.

Convicted of participating in a conspiracy to kick back $40,000 on an $840,000 reservoir cleaning contract were Antonio (Tony Ducks) Corallo, a reputed Mafia leader, union leader Daniel Motto, millionaire contractor Henry Fried and Fried's company S. T. Grand. A fourth defendant Charles Rappaport, Itkin's former law partner, was acquitted.

Marcus pleaded guilty before the trial started while Itkin testified that he expects the government to drop the charges against him because he had acted as an undercover informer for the FBI.

The Gun Death Toll: 109

Guns have killed 109 persons in the U. S. since midnight Sunday, an Associated Press survey showed today.

Homicides accounted for 57 deaths, suicides for 42 and accidental shootings 10.

The FBI has reported that approximately 6,500 persons were killed by guns in 1966—an average of 125 homicides by firearms each week. Homicides by stabbing, strangling and other means totaled 10,920 in 1966, the FBI said.